

MEMO ENDORSED

IN THE UNITED DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK

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COMMODITIES FUTURES TRADING
COMMISSION,

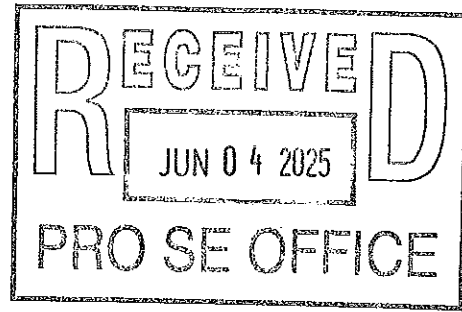
Plaintiff,

v.

EDDY ALEXANDRE and

EMINIFX, Inc.,

Respondents.
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New York, N.Y.

Case No. 22-CV-3822 (VEC)

USDC SDNY
DOCUMENT
ELECTRONICALLY FILED
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DATE FILED: 6/13/2025

MOTION TO WARN OF DELAY IN ADJUDICATION OF PLAINTIFF'S MOTION FOR SUMMARY JUDGMENT

TO THE HONORABLE VALERIE CAPRONI, JUDGE OF THE DISTRICT COURT:

I, Eddy Alexandre, respectfully submit this motion to express my concern regarding the extended delay in adjudicating the Plaintiff's motion for summary judgment, which has remained unresolved since it was requested by the Court and filed on September 23, 2024. As we approach seven months since the request, I feel compelled to bring this matter to Your Honor's attention.

Given the nature of the proceedings and the urgent need for resolution in this case, the prolonged period without an adjudication creates significant uncertainties and impacts all parties involved. The expectation, as initially communicated, was for a prompt resolution, and this delay has caused undue hardship and distress for myself and the EminiFX investors.

In light of these circumstances, I respectfully request that the Court take action to resolve the Plaintiff's motion for summary judgment within the next thirty (30) days. Furthermore, in the absence of a decision by that time, I will be compelled to seek relief via a writ of mandamus from the Second Circuit Court of Appeals to compel a decision in this matter.

Thank you for attention to this important issue, and I look forward to your timely response.

Dated on June 2, 2025

Respectfully submitted,

/S/ Eddy Alexandre

Eddy Alexandre, pro se

Reg.No. 00712-510

Former CEO & Founder of EminiFX

FCC Allenwood Low

P.O. Box 1000

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enclosure: Certificate of service

The Court has already approved the Receiver's Plan of Distribution, Dkt. 431, and distributions will continue regardless of how the Court decides the motion for summary judgment. Neither the parties nor EminiFX's investors have experienced any prejudice as a result of the pendency of that motion. The Court, not Mr. Alexandre, determines the appropriate timeline upon which to render decisions in this case.

Given the lack of legal authority for Mr. Alexandre's motion, the Court hereby certifies pursuant to 28 U.S.C. § 1915(a)(3) that any interlocutory appeal of this order would not be taken in good faith. Therefore, permission to proceed *in forma pauperis* on interlocutory appeal of this order is DENIED.

The Clerk of the Court is respectfully directed to mail a copy of this order to Mr. Alexandre and to note the mailing on the docket.

SO ORDERED.

 6/13/2025

HON. VALERIE CAPRONI
UNITED STATES DISTRICT JUDGE